

1st Reading

5/11/2015

Referred to (name of Committee)

HE+CE

Public Hearing

5/18/2015

2nd Reading and Final Passage

6/5/2015

2015-Or- 018
**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

HE+CE 1a

By A. Johnson

Amending Title 10, Chapter 186 of the Minneapolis Code of Ordinances relating Food Code: In General.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 186.30 of the above-entitled ordinance be amended to read as follows:

186.30. More restrictive standards to apply. Where the conditions imposed by any provision of the food code are either more restrictive or less restrictive than comparable conditions imposed by the Minnesota Food Code, or any other law, statute, rule, resolution, ordinance, or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements shall govern, to the extent permitted by law.

Section 2. That Section 186.50 of the above-entitled ordinance be amended to read as follows:

186.50. Definitions.

All terms used in this title, unless expressly defined in this section, shall be interpreted as defined in the Minnesota Food Code, part 4626.0020, as they may be amended from time to time. The In addition, the following terms shall have the following meanings:

Community kitchen refers to an approved facility licensed as a food manufacturer that may be used by licensed businesses for commercial purpose. A community kitchen may also be an unlicensed kitchen that is used by community members for cooking non-commercial or exempt foods or for cooking classes and/or other related activities.

Confectionery, as a license type, shall mean the class of food that shall include ready-to-eat, single-service, pre-packaged snack items and beverages including chips, pop, candy, crackers, cookies, pastries, popcorn, sandwiches, milk, yogurt, ice cream, cheese and/or microwavable single-service soups or entrees and similar items. Ready-to-eat, single serving fruits and vegetables prewashed by the supplier may be sold if the facility has a conveniently located hand wash sink. No packaging or re-packaging may occur on the premises. If the facility is equipped with an NSF-approved three-compartment ware-washing sink with two (2) drain boards, and a hand wash sink conveniently located in the ware-washing area, the following non-potentially hazardous food items may be sold: coffee and flavored specialty coffees dispensed from a self-service device, pastries in a self-service display case, and candies in bulk containers for self-service. Food products designed for home preparation are not permitted. A commercial grade self-service microwave oven for self-service reheating of purchased food items is permitted. Approved commercial refrigeration and freezers are required.

~~*Critical item* means a part of the Food Code that, if in noncompliance, is more likely than other violations to contribute to food contamination, illness, or environmental degradation and represent substantial~~

~~public health hazards. The designation of a critical item shall be in conformance with the designation contained within Minnesota Rules, Chapter 4626, as they may be amended from time to time.~~

~~Food establishment shall be defined including Minnesota Rules 4626.0020 subpart 35(c), in addition to those facilities listed in Minnesota Rules 4626.0020 subpart 35(a) and (b).~~

Food manufacturer means a food service establishment with food preparation and service for carry-out, delivery, on-site dining with twelve (12) or fewer seats or a community kitchen.

Food market distributor means a vendor in a public or municipal market that is selling or reselling foods for off-site consumption.

Food market manufacturer means a vendor in a public or municipal market that is selling foods for immediate consumption.

Food shelf shall mean a food establishment operated by a nonprofit organization where food is collected, stored, or packaged for free distribution to individuals who qualify for food according to need.

Food stand shall mean a temporary food establishment operated in one (1) contiguous space by a single licensee and which complies with the guidelines for dispensing food ~~under~~ as a short-term ~~permit~~ or seasonal short-term food establishment.

~~*Imminent* means impending or likely to develop without delay.~~

Institutional/congregate food service shall mean a food establishment that serves food primarily to a defined population in a congregate dining fashion and may include commercial child care centers, hospital cafeterias, public and private schools, senior independent living facilities, charitable dining halls, community food service or similar facilities. Institutional food service shall not mean home-based daycare businesses, establishments that operate with a city board and lodging license or food service operations at group homes, nursing homes, and veteran homes, etc. that are licensed at the county, state or federal level.

Mobile food vehicle means a food establishment preparing and/or serving foods from a self-contained vehicle, either motorized or within a trailer, on public sidewalks, curbside on the public streets, or on private property that is readily movable, without disassembling, for transport to another location, which operates no more than 21 days annually at any one place, or operating more than 21 days annually at any one place with the approval of the regulatory authority as defined in Minnesota Rules, part 4626.0020, subpart 70.

Mobile food vehicle, limited means a food establishment serving only prepackaged, nonperishable or packaged confections curbside on the public streets from a self-contained motorized vehicle.

Mobile food vehicle, non-profit free food distributor means a food establishment serving prepared food or grocery items to the public in a charitable, non-commercial manner.

~~*Non-critical item* means a part of the Food Code that, if in noncompliance, is less likely than other violations to contribute to food contamination, illness, or environmental degradation and represent substantial public health hazards. The designation of a non-critical item shall be in conformance with the~~

~~designation contained within Minnesota Rules, Chapter 4626, as they may be amended from time to time.~~

Perishable food is fresh fruit and fresh vegetables, such as, but not limited to, apples, bananas, oranges and grapefruit, lettuce, carrots, radishes, onions and potatoes.

Potentially hazardous food:

~~(1) Potentially hazardous food means a food that is natural or synthetic and is in a form capable of supporting:~~

- ~~a. The rapid and progressive growth of infectious or toxigenic microorganisms;~~
- ~~b. The growth and toxic production of *Clostridium botulinum*; or~~
- ~~c. In raw shell eggs, the growth of *Salmonella enteritidis*.~~

~~(2) Potentially hazardous food includes foods of animal origin that is raw or heat treated, a food of plant origin that is heat treated or consists of raw seed sprouts, cut melons, and garlic and oil mixtures that are not acidified or otherwise modified at a food processing plant in a way that results in mixtures that do not support growth as specified in item (1).~~

~~(3) Potentially hazardous food does not include:~~

- ~~a. An air cooled hard boiled egg with the shell intact;~~
- ~~b. A food with an a(w) value of 0.85 or less;~~
- ~~c. A food with a pH level of 4.6 or below when measured at twenty four (24) degrees Celsius (seventy five (75) degrees Fahrenheit);~~
- ~~d. A food, in an unopened hermetically sealed container, that is commercially processed to achieve and maintain commercial sterility under conditions of nonrefrigerated storage and distribution;~~
- ~~e. A food for which laboratory evidence demonstrates that the rapid and progressive growth of infectious and toxigenic microorganisms or the growth of *Salmonella enteritidis* in eggs or *Clostridium botulinum* cannot occur, including a food that has an a(w) and pH that are above the levels specified in subitem (2) or (3) and that may contain a preservative, other barrier to the growth of microorganisms, or a combination of barriers that inhibit the growth of microorganisms; or~~
- ~~f. A food that may contain an infectious or toxigenic microorganism or chemical or physical contaminant at a level sufficient to cause illness, but that does not support the growth microorganisms as specified in item (1).~~

Process review means evaluating the menu and processes to receive, store, prepare, cook, hold, cool, and serve food.

Restaurant means a food service establishment with food preparation and service for carry out, delivery or on-site dining with thirteen (13) or more seats.

Risk Categories as referenced in MS 157.20:

(1) Risk {1}: High risk establishment means a public pool, or any food and beverage service establishment, hotel, motel, lodging establishment, or resort that:

~~(1)~~ a. Serves potentially hazardous foods that require extensive processing on the premises including manual handling, cooling, reheating, or holding for service;

~~(2)~~ b. Prepares foods several hours or days before service;

~~(3)~~ c. Serves menu items that epidemiologic experience has demonstrated to be common vehicles of food-borne illness;

d. Serves foods that use specialized processes;

~~(4)~~ e. Has a public swimming pool; or

~~(5)~~ f. Draws its drinking water from surface water supply.

(2) Risk {2}: Medium risk establishment means a food and beverage service establishment, hotel, motel, lodging establishment, or resort that:

~~(1)~~ a. Serves potentially hazardous foods but with minimal holding between preparation and service; ~~or~~

~~(2)~~ b. Serves foods, such as pizza, that require extensive handling followed by heat treatment; or

c. Serves foods that require some preparation on-site.

(3) Risk {3}: Low risk establishment means a food and beverage service establishment, hotel, motel, lodging establishment, or resort that is not a Risk {1}: high-risk or a Risk {2}: medium risk establishment.

(4) Risk exceptions. Mobile food units, seasonal permanent and seasonal temporary food stands, food carts, and special event food stands are not inspected on an established schedule and therefore are not defined as high-risk, medium-risk, or low-risk establishments.

(5) School inspection frequency. Elementary and secondary school food service establishments must be inspected according to the assigned risk category or by the frequency required in the Richard B. Russell National School Lunch Act, whichever frequency is more restrictive.

Seasonal short-term food establishment, referenced as seasonal temporary food stand in MS 157.15, means a food and beverage service establishment that is a food stand which is disassembled and moved from location to location, but which operates for no more than 21 days annually at any one location. A seasonal short-term food establishment may operate for more than 21 days annually at any one place with the approval of the regulatory authority, as defined in Minnesota Rules, part 4626.0020, subpart 70, that has jurisdiction over the seasonal short-term food establishment. A seasonal short-term food

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establishment pays an annual fee to operate at multiple, approved short-term food events, such as fairs, carnivals, and community celebrations, and is an approved participant under the auspices and control of each such event.

Sell or sale is any transaction of a mercantile character.

Short-term food establishment, referenced as special event food stand in MS 157.15, means a food and beverage service establishment which operates no more than three (3) times annually for no more than ten (10) total days ~~at~~ in conjunction with fairs, community celebrations, carnivals, circuses, promotional food product events, sports events and ~~the like~~ other special events.

Sidewalk cart food vendor shall mean a food establishment that is a nonmotorized vehicle self-propelled by the operator.

Unpackaged processed food means any processed food offered for sale from containers that permit a customer to dispense the food directly into packages, except produce offered for sale or food which is intended to be shelled.

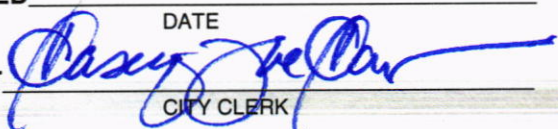
Wholesome shall mean sound, healthful, clean, free from adulteration and in all ways fit for human food.

Certified as an official action of the City Council: 

RECORD OF COUNCIL VOTE (X INDICATES VOTE)													
COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Reich	X						Glidden	X					
Gordon	X						Cano	X					
Frey	X						Bender	X					
B Johnson	X						Quincy	X					
Yang	X						A Johnson	X					
Warsame	X						Palmisano	X					
Goodman	X												

ADOPTED JUN 05 2015

☒ APPROVED ☐ NOT APPROVED ☐ VETOED

ATTEST 
CITY CLERK


MAYOR HODGES

JUN 11 2015
DATE

16

2015-Or- 019
AN ORDINANCE
of the
CITY OF
MINNEAPOLIS

By A. Johnson

Amending Title 10, Chapter 188 of the Minneapolis Code of Ordinances relating to Food Code: Administration and Licensing.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 188.10 of the above-entitled ordinance be amended to read as follows:

188.10. Authority. This chapter is adopted pursuant to Minnesota Statutes 1998, Chapter 144, ~~145~~, 145A, ~~and~~ 157, 17, 28A, 31, and 34A and related rules; and a delegation agreements authorized by Minnesota Statutes 145A.07 or 28A.075 between the Minnesota Department of Health or the Minnesota Department of Agriculture respectively, and the City of Minneapolis authorizing the Environmental Health Division of the Minneapolis Health Department to inspect and regulate food, beverage and lodging establishments.

Section 2. That Section 188.130 of the above-entitled ordinance be amended to read as follows:

188.130. Vehicles for peddling food.

(a) Sanitation. All vehicles used for transporting or peddling fruits, vegetables, milk, meat, poultry or other like produce or provisions shall at all times be kept free from dirt, dust, grease and other hurtful and contaminating substances and in a clean and sanitary condition.

(b) Other use of vehicles. No peddler doing business in the city and using a vehicle for the transporting or peddling of fruits, vegetables, produce or other provisions shall use or permit or cause to be used such vehicle for the hauling or conveyance of junk, junk materials, scrap, garbage, refuse or any decayed animal or vegetable matter or other unclean and unwholesome substance or thing whatever.

(c) Inspection by environmental health division. The environmental health division, or its agents, shall inspect all vehicles used for transporting or peddling fruit, vegetables, milk, meat, poultry or other like produce or provisions, as needed, and shall condemn and destroy any food found thereon to be unsound, unwholesome or unfit for human consumption.

Section 3. That Section 188.250 of the above-entitled ordinance be amended to read as follows:

188.250. License fees generally. The annual food license fees to be paid hereunder shall be as established in Appendix J, License Fee Schedule.

Multiple food category licenses: Establishments having a restaurant, grocery or food manufacturing license which also have other food category licenses shall have the fees for those other categories, except sidewalk cafe, mobile food vehicle, and seasonal temporary short term and short term food

establishment, reduced by thirty (30) percent. In the instance of any question of which fee shall be reduced, the most expensive shall be paid in full and any others reduced.

Section 4. That Section 188.470 of the above-entitled ordinance be and is hereby repealed.

~~188.470. Itinerant food establishments.~~ An itinerant food establishment conducting an unrestricted operation shall comply fully with the provisions of this chapter. When restricted operations are conducted the environmental health division may accept modified physical facilities, may prohibit the sale of certain potentially hazardous foods and may augment requirements when such action is necessary in the interest of public health.


Section 5. That Section 188.560 of the above-entitled ordinance be and is hereby repealed.

~~188.560. Minneapolis food manager certification requirements.~~ Minneapolis food establishments must comply with the food manager certification requirements, as set out in Minnesota Rules, Chapter 4626.2000 to 4626.2525. In support and/or addition to the Minnesota Rules, all persons licensed to operate a food establishment under this chapter (except short term food establishments) shall at all times employ at least one (1) full time person with supervisory responsibilities (which may be the licensee) who (1) spends a substantial amount of his/her work week at that food establishment, and (2) who has a current Minnesota Department of Health food manager certificate. A large establishment with more than one (1) food preparation and service location under one (1) license, shall have a Minnesota Department of Health certified manager for each location.

A new licensee shall provide proof of certification before the facility is approved to open.


The licensee shall notify the city when the certified person leaves or terminates employment with the food establishment. A food establishment that no longer employs a certified manager shall employ a certified manager within thirty (30) days.

All establishments (except short term food establishments and those exempted pursuant to rules adopted under the authority of the ordinance) shall maintain up to date written policies and guidelines on the premises. These policies and guidelines shall have been approved by the environmental health division and shall govern food handling and preparation, sanitation practices and techniques, personal hygiene including handwashing techniques, the prevention of food borne illness through proper receiving, storage, preparation, cooling and reheating of foods, and other related matters.


Certified as an official action of the City Council: 

RECORD OF COUNCIL VOTE (X INDICATES VOTE)													
COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Reich	X						Glidden	X					
Gordon	X						Cano	X					
Frey	X						Bender	X					
B Johnson	X						Quincy	X					
Yang	X						A Johnson	X					
Warsame	X						Palmisano	X					
Goodman	X												

ADOPTED JUN 05 2015
DATE

ATTEST 
CITY CLERK

☒ APPROVED ☐ NOT APPROVED ☐ VETOED


MAYOR HODGES
JUN 11 2015
DATE

1st Reading

Referred to (name of) Committee

Public Hearing

2nd Reading and Final Passage

5/1/2015

HE & CE

5/18/2015

6/5/2015

2015-Or- 020

AN ORDINANCE of the CITY OF MINNEAPOLIS

By A. Johnson

Repealing Title 10, Chapter 190 of the Minneapolis Code of Ordinances relating to Food Code: Meat and Meat Products.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Chapter 190 of the Minneapolis Code of Ordinances be and is hereby repealed.

CHAPTER 190. MEAT AND MEAT PRODUCTS

ARTICLE I. GENERALLY

190.10. Inspection required. ~~No person shall bring or cause to be brought into the city or hold or have possession of or expose or offer for sale or sell for human food in the city, any carcass, part of carcass, meat or meat products of any pig, lamb, calf, cattle, swine, sheep or goats, unless the same shall have been duly and properly inspected before and at the time of and after the slaughter thereof and passed and found to be sound, healthful, wholesome and fit for human food and properly marked, stamped, tagged or certified to, all in conformity with and in the manner prescribed by the "Regulations Governing Meat Inspection of the United States Department of Agriculture," issued by the United States Department of Agriculture July 15, 1914, and designated for purposes of identification as B.A.I. Order 211, and the amendments to said regulations from time to time made and issued by the United States Department of Agriculture, which said regulations and amendments are hereby referred to and made a part of this chapter as fully and to the same extent as if herein set forth at large; or unless such carcass, part of carcass, meat or meat products shall have been duly inspected by the Minneapolis Health Department or by one (1) or more of the duly appointed, qualified and acting meat inspectors of the Minneapolis Health Department, and found healthful, wholesome and fit for human food, and properly marked, stamped or tagged by the Minneapolis Health Department or by its meat inspectors, as herein provided.~~

190.20. Authority to inspect and condemn. ~~The Minneapolis Health Department shall inspect or cause to be inspected all carcasses, parts of carcasses, meats and meat product of every pig, lamb, calf, cattle, swine, sheep and goat brought into the city for sale, or held, exposed or offered for sale or sold for human food in the city, and shall determine whether or not the same is sound, healthful, wholesome and fit for human food, and shall order and require any and all such carcasses, parts of carcasses, meats or meat products which shall be found to be unsound, unhealthful, unwholesome or not fit for human food, to be at once condemned and destroyed for food purposes by being tanked in a sealed tank or saturated with coal oil or an oil distillate, as directed by the Minneapolis Health Department. Upon the failure of the owner or person in charge or in possession of any such unsound, unhealthful, unwholesome or unfit carcass, part of carcass, meat or meat products, to remove or destroy the same as directed by the Minneapolis Health Department, the Health Department shall forthwith cause the same to be removed from the city or to be destroyed by being tanked in a sealed tank or saturated with coal oil or oil distillate.~~

190.30. Stamping of wholesome meat. All such carcasses, parts of carcasses, meats and meat products of any pig, lamb, calf, cattle, swine, sheep or goat brought into the city for sale, or intended or held or exposed or offered for sale or sold for human food in the city, which have not been duly inspected and passed and marked, stamped or certified to as sound, healthful, wholesome and fit for human food in conformity with and in the manner provided by said "Regulations Governing Meat Inspection of the United States Department of Agriculture" shall, upon being inspected by the commissioner of health or by one (1) of the inspectors and found to be sound, healthful, wholesome and fit for human food, be marked and stamped with a rectangular stamp having thereon the words "Approved Minneapolis Health Department, Minneapolis Inspector No. _____" together with the figure denoting the proper number of the inspector using any such stamp. Such marking and stamping shall be done in a manner similar to that required by said regulations B.A.I. Order No. 211 and amendments thereto.

190.40. Inspection at slaughterhouse. All cattle, swine, sheep and goats whose carcasses, meats or meat products are intended for sale for human food in the city which are slaughtered at slaughterhouses or places other than those operated under the supervision of the United States Department of Agriculture shall, at the time and immediately before and after slaughter thereof, whenever and wherever it is practicable and possible so to do within or without the city, be inspected by the Minneapolis Health Department, and if found by such inspection to be sound, healthful, wholesome and fit for human food, shall be marked and stamped as provided in section 190.30. All slaughterhouses and places where any such animals intended for sale for human food in the city are slaughtered, shall at all times be kept and maintained in a clean and sanitary condition to be approved by the Minneapolis Health Department.

190.50. Inspection of meat slaughtered on farms. The carcasses of pigs, lambs, calves, cattle, swine, sheep and goats owned by any farmer and slaughtered on his farm, which can be and are identified as such, and which are shipped or brought into the city for sale as human food, before the same or any part thereof shall be exposed or offered for sale or sold in the city, shall be inspected and approved or disapproved and marked, stamped or tagged as sound, healthful, wholesome and fit for human food by the Minneapolis Health Department or one (1) of the inspectors, at the express office or freight office when shipped into the city by railway, and when brought into the city otherwise than by railway, at some building, market or place in the city provided or designated therefor by the city council or by the Minneapolis Health Department as a place for such meat inspection purposes. All such carcasses of cattle and swine except veal carcasses shall have the head, tongue and lymphatic glands thereof in place and undetached therefrom. No such carcass or carcasses of pigs, lambs, cattle, swine, sheep or goats, or any part or parts thereof, shall be sold, exposed or offered for sale in the city unless and until the same shall have been properly inspected, approved and marked, stamped or tagged as fit for human food by the Minneapolis Health Department.

190.60—190.70. Reserved.

ARTICLE II. PRODUCT WHOLESALERS

190.80. Definitions. When used in this article, the following terms shall mean:

Meat food products: Any articles of food or articles that enter into the composition of food which are not prepared meats, but which are derived or prepared, in whole or in part, by a process of manufacture from any portion of the carcasses of cattle, swine, sheep or goats if such manufactured portion is all, or

~~a considerable and definite portion, of the article, except such preparations as are for medicinal purposes.~~

~~*Product wholesaler:* Any person who processes meat and meat food products and sells such products or any part thereof at wholesale to be retailed for human consumption; provided that this article shall not apply to any such meat or meat products which are sold at retail on the premises where such food products are processed by the processor.~~

~~**190.90. License required.** No person shall manufacture, process, prepare or distribute any meat food products, or any sausage, for sale at wholesale without being licensed under this article. This license shall be known as a wholesale sausage license.~~

~~**190.100. Application for license.** Applications for licenses required by this article shall be made to the licensing official.~~

~~**190.110. When licenses expire.** Licenses issued under this article shall expire on April first of each year.~~

~~**190.120. License fees.** The annual fees for licenses under this article, based upon the area used in the business, computed in accordance with section 259.190 of this Code, shall be as established in Appendix J, License Fee Schedule.~~

~~**190.130. Licensing, marking of vehicles.** In addition to the fee required by section 190.120, the licensee shall pay an annual fee as established in Appendix J, License Fee Schedule, for each vehicle used in the licensed business. Each such vehicle shall have attached to it on each side a license plate stating "Wholesale Sausage Manufacturer or Distributor" and giving the serial number of the license. Such license tag shall be attached to the vehicle so as to be conspicuous and legible at all times. It shall be furnished by the licensing official.~~

~~**190.140. Compliance with other regulations.** Any person licensed under this article shall comply with any applicable regulations contained in Chapter 188.~~

~~**190.150. Revocation of licenses.** Any violation of this article shall be grounds for revocation of all licenses held by the violator.~~

~~**190.160—190.170. Reserved.**~~

ARTICLE III. HORSE MEAT

~~**190.180. Definitions.** When used in this article, the following terms shall mean:~~

~~*Horse meat:* The flesh or other part of the body of any horse, or horses, prepared and packaged for, or prepared and processed for, sale and use as food for dogs, cats or other domestic animals only.~~

~~*Packaged horse meat:* Horse meat which is enclosed in an original package or carton sealed and bearing the stamp of inspection of the Bureau of Animal Industry, U.S. Department of Agriculture, or other federal, state or municipal agency having authority to inspect and approve such material.~~

Unpackaged horse meat: Horse meat prepared, processed, kept for sale and sold in bulk by the pound, or otherwise.

~~190.190. License required for unpackaged horse meat.~~ No person shall process, prepare, store, offer for sale or sell unpackaged horse meat without holding a horse meat license under this article.

~~190.200. Application for license; issuance or denial.~~ Any person desiring a license to engage in the business of selling unpackaged horse meat shall apply to the city council upon a form to be prepared by the licensing official. The application shall contain the name and address of the applicant; location of proposed place of business; nature of the product to be sold under the license; whether the premises in which the business is to be conducted are separate and distinct from any food or other mercantile establishment; refrigeration provided; character of the material to be sold; nature of handling; character of sales, whether in original packages or otherwise; and such other information as the licensing official and the Minneapolis Health Department may require. The application shall be verified, and receipt for payment of the license fee shall accompany the filing of the application. After filing of the application, it shall be presented to the city council, which may grant or deny the application. No license shall be granted unless approved by the council member of the ward in which the premises described in the application are located.

~~190.210. When licenses expire.~~ Licenses issued under this article shall expire on October first of each year.

~~190.220. License fee.~~ The annual fee for licenses required by this article shall be thirty five dollars (\$35.00).

~~190.230. Revocation of license.~~ Any license issued under this article may be revoked for violation of this article or for other good and sufficient cause, by the mayor or the council after at least five (5) days' written notice of hearing and opportunity to be heard.

~~190.240. Separate establishment required; use limited to pet food.~~ No unpackaged horse meat shall be sold except in an establishment which is separate from any business devoted to the sale of human food. Such unpackaged horse meat shall be sold only as food for dogs, cats or other animals, and not for human consumption.

~~190.250. Condition of premises.~~ The premises devoted to the sale of unpackaged horse meat, and operated under a horse meat license, shall be kept clean and sanitary. The premises shall be subject to inspection by the Minneapolis Health Department, and shall be equipped, cared for and conducted, as regards preservation of health and prevention and suppression of disease, in substantially the manner required by Chapter 188, so far as the terms of said chapter apply. The Minneapolis Health Department, in writing at any time, may require the owner and holder of any horse meat license to comply with any of the provisions of Chapter 188, and failure to so comply shall be a violation of this article.

~~190.260. Sale of packaged horse meat.~~ Any person holding a horse meat license under this article, a food license under Chapter 188, or a live animal license under Chapter 68, may store, offer for sale, or sell packaged horse meat provided that the premises on which the business is conducted are located, equipped and operated in accordance with the provisions under which they are licensed.

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190.270. Inspections. All horse meat stored, offered for sale or sold under any license shall be subject to inspection by the Minneapolis Health Department. All health and sanitary regulations prescribed in Chapter 188 shall be observed so far as applicable. In the case of a live animal license, the Minneapolis Health Department shall make such inspections of the premises as may be necessary and shall require compliance with the provisions of Chapter 68 of this Code.

190.280. Original packages for retail. Packaged horse meat purchased by any licensee in an original retail package shall be sold only in such original package. None of the contents shall be removed from the original package on the licensed premises, nor mixed with any other substance and sold as human or animal food. Such packaged horse meat held for retail shall be kept in a separate compartment of a refrigerator, showcase or other container, separate from all other foods or materials and in a manner approved by the Minneapolis Health Department.

190.290. Bulk original packages. Packaged horse meat purchased by any licensee in bulk original packages may be sold in such packages, but if removed from the original bulk packages in a food store or live animal store, shall be handled in such a way that the material shall not come in contact with any food for human beings. It may be removed from such original bulk packages in food stores and live animal stores only for the purpose of repacking for retail sale. In such case it shall be kept in a separate refrigerator used only for such purpose, which refrigerator shall have no connection with other refrigerators used in the sale of food for human consumption. None of such material shall be mixed with any other material for human consumption. In the removal from original bulk packages and in the process of unpacking in retail original packages, separate knives, blocks, axes and other facilities necessary in handling the same shall be used, and none of such facilities shall be used in the preparation or handling of any other food for human consumption.

190.300. Slaughtering horses prohibited. No person shall kill or slaughter any horse within the city limits.

Certified as an official action of the City Council:

[Signature]

RECORD OF COUNCIL VOTE (X INDICATES VOTE)													
COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Reich	X						Glidden	X					
Gordon	X						Cano	X					
Frey	X						Bender	X					
B Johnson	X						Quincy	X					
Yang	X						A Johnson	X					
Warsame	X						Palmisano	X					
Goodman	X												

ADOPTED JUN 05 2015

☒ APPROVED ☐ NOT APPROVED ☐ VETOED

ATTEST *[Signature]*
CITY CLERK

[Signature] JUN 11 2015
MAYOR HODGES DATE

1st Reading

5/1/2015

Referred to (name of) Committee

HE & CE

Public Hearing

5/18/2015

2nd Reading and Final Passage

6/5/2015

2015-Or- 021

1d

AN ORDINANCE of the CITY OF MINNEAPOLIS

By A. Johnson

Repealing Title 10, Chapter 198 of the Minneapolis Code of Ordinances relating to Food Code: Soft Drink Manufacture and Storage.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Chapter 198 of the Minneapolis Code of Ordinances be and is hereby repealed.

~~CHAPTER 198. SOFT DRINK MANUFACTURE AND STORAGE~~

~~198.10. License required.~~ No person shall manufacture, or maintain an establishment for the purpose of manufacturing, storing or otherwise dealing at wholesale in beverages derived wholly or in part from cereals, fruits or substitutes thereof, carbonated waters, or beverages carbonated and noncarbonated, artificial mineral waters, soft drinks, essences for the manufacture of beverages or syrups, without being licensed under this chapter.

~~198.20. Application for license.~~ Any person desiring a license under this chapter shall file a written application for such license. The application should state the name and place of residence of the applicant, the name and place of the owner of the premises, and the location of the place where the applicant desires to manufacture or deal at wholesale in such beverages. Upon the filing of such application for a license, it shall be referred to the Minneapolis Health Department for investigation, report and recommendation. After the report and recommendation of the Minneapolis Health Department have been received by the licensing official, the license may be granted or denied pursuant to section 259.30.

~~198.30. License fees.~~ The annual fee for a license under this chapter shall be as established in Appendix J, License Fee Schedule, for each separate establishment.

~~198.40. When licenses expire.~~ Licenses issued under this chapter shall expire on May first of each year.

~~198.50. Contents and posting of license.~~ Each license shall be conspicuously posted on the licensed premises, and shall state the name of the licensee, the address of the licensed premises, and the date of the last inspection by the Minneapolis Health Department.

~~198.60. License revocation.~~ Any license issued under this chapter may be revoked at any time by the mayor or city council.

198.70. Sanitary requirements at plant. All establishments licensed hereunder shall conform to the plumbing laws of the state and city and shall be kept clean and sanitary. All floors of the bottling and manufacturing rooms shall be of concrete or tile and properly trapped and drained and kept in good repair. All walls and ceilings shall be painted and kept clean. All rooms shall be adequately lighted and ventilated and screened during the season of fly prevalence. No substance shall be manufactured or stored in any stable, room used for sleeping or living purposes or in direct communication with any such stable or room, or with a water closet compartment except when such water closet is enclosed with a suitable and properly lighted and ventilated vestibule. There shall be a wash bowl and towel for employees, and after leaving closets, employees shall wash their hands. No cat, dog or other animal shall be allowed in the rooms of the building. Bottles shall not be removed from any dwelling where a communicable disease exists or has existed until permission is given by the Minneapolis Health Department. No person with a communicable disease nor any "disease carrier" shall be employed in an establishment licensed under this chapter.

198.80. Sanitary methods required. Materials and equipment used for the manufacture of soft drinks shall be kept in a sanitary manner and shall be handled so as to avoid contamination. All water used in the manufacture of soft drinks shall be approved by the Minneapolis Health Department. All bottles shall be thoroughly washed and sterilized before filling in a manner approved by the Minneapolis Health Department. Brushes must be used in cleaning bottles, and after brushing, the bottles must be rinsed in clean water. Spring stoppers are prohibited. In drawing carbonated water from the carbinator to the bottling table, a blocked tinned pipe must be used. No material or equipment used for the manufacture of drinks shall be composed of or made either wholly or in part of brass, lead, copper or other metallic substances that are or will be affected by a liquid used therein, so that dangerous or deleterious compounds may be formed therein or thereby. No harmful material shall be added to the substance of the drink or incorporated in the bottle or cap.

198.90. Capping. All caps and corks must be kept in such a way as to remain clean. When the finger is used in placing caps in machinery, a sanitary covering must be worn upon the finger.

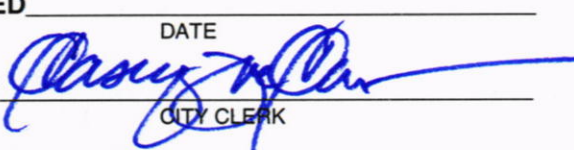
198.100. Labeling; ingredients. Each bottle must contain a crown or label stating the name and address of the manufacturer and the quantity of contents, or the same must be blown in the bottle. Artificial products made in imitation of natural food products must be so branded on the crown, label or bottle. The amount of benzoate of soda must not exceed one-tenth of one per cent, and the amount and chemical name of any preservative must be stated on the label, crown or bottle. Preservatives not permitted by the state dairy and food law are prohibited. Use of any acid other than citric, tartaric, phosphoric, lactic, and malic acids must be stated on the crown, label or bottle. All syrups shall have no less than eight (8) pounds of sugar to a gallon of water, and no less than one ounce of this mixture shall be used to eight (8) ounces of the finished product. Other forms of sweetener must be stated on the label together with the percentage. No poisonous or harmful materials shall be added to the substance of the drink or incorporated in the bottle or cap.

198.110. Unwholesome beverages. No person shall bring in or cause to be brought into the city or have or hold in his possession for the purpose of sale any beverages that are harmful, unclean and unwholesome or have been manufactured in unclean and unsanitary conditions, or whose constituents are not displayed upon the label if they do not meet with the above standard. The inspector at his discretion may place a tag upon any beverage, equipment, material or substance used for, about, or in the manufacture of beverages that he may have cause to believe harmful, contaminated, dirty or rusty, or unfit for human consumption or in violation of this chapter. Such tag shall be marked "Held for investigation." No person shall remove such material or substance from the place retained or shall remove such tags from any material or substance. The presence in any part of the establishment of apparatus or substance for the manufacture of beverages shall be prima facie evidence of intended use.

Certified as an official action of the City Council: 

RECORD OF COUNCIL VOTE (X INDICATES VOTE)													
COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Reich	X						Glidden	X					
Gordon	X						Cano	X					
Frey	X						Bender	X					
B Johnson	X						Quincy	X					
Yang	X						A Johnson	X					
Warsame	X						Palmisano	X					
Goodman	X												

ADOPTED JUN 05 2015
DATE

ATTEST 
CITY CLERK

☒ APPROVED ☐ NOT APPROVED ☐ VETOED

 **JUN 11 2015**
MAYOR HODGES DATE

1st Reading

Referred to (name of) Committee

Public Hearing

2nd Reading and Final Passage

2015-Or- 022
AN ORDINANCE
of the
CITY OF
MINNEAPOLIS

1e

By A. Johnson

Repealing Title 10, Chapter 200 of the Minneapolis Code of Ordinances relating to Food Code: Milk and Dairy Products.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Chapter 200 of the Minneapolis Code of Ordinances be and is hereby repealed.

~~CHAPTER 200. MILK AND DAIRY PRODUCTS~~

~~ARTICLE I. GENERALLY~~

~~200.10. Public health service ordinance adopted.~~

~~The production, transportation, processing, handling, sampling, examination, grading, labeling and sale of all milk and milk products sold for ultimate consumption within the jurisdiction of the city; the inspection of dairy herds, dairy farms and milk plants; the issuing and revocation of permits and/or licenses to milk producers, haulers, owners of receiving stations, cottage cheese plants, cottage cheese packaging plants, pasteurization plants, milk distributors and vehicles used in the transportation of milk and milk products; definition of milk and milk products, milk producers and pasteurization; prohibition of the sale of adulterated and misbranded milk and milk products; provision for the construction of dairy farms; milk receiving stations, and milk plants; the enforcement of the terms and requirements of this article; and the fixing of penalties hereunder, shall all be regulated in accordance with the provisions of Part II of the Grade A Pasteurized Milk Ordinance, 1978, recommendations of the United States Public Health Service, as the same shall be from time to time amended, including all footnotes thereof. Three (3) certified copies of said Grade A Pasteurized Milk Ordinance, 1978, recommendations of the United States Public Health Service, as the same shall be from time to time amended, shall be kept on file in the office of the city clerk and shall be made available upon request for use within said office to members of the public; provided that the following definitions be added thereto:~~

~~B-8. Cottage cheese. Cottage cheese is that product defined in the Code of Federal Regulations, Title 21, Section 133.128.~~

~~B-9. Dry curd cottage cheese. Dry curd cottage cheese is that product defined in the Code of Federal Regulations, Title 21, Section 133.129.~~

~~B-10. Lowfat cottage cheese. Lowfat cottage cheese is that product defined in the Code of Federal Regulations, Title 21, Section 133.131.~~

~~The term "milk" when used in these definitions means fresh, sweet milk, produced by healthy cows and which has been pasteurized before or during the manufacture of nonfat dry milk. It shall not contain buttermilk, preservative, neutralizing agents nor any other chemical, except vitamins as approved in the ordinance.~~

The terms "cottage cheese," "dry curd cottage cheese" and "creamed lowfat cottage cheese" shall be added to the first paragraph of definition N, Section 1 of the aforesaid Grade A Pasteurized Milk Ordinance, 1978, recommendations of the United States Public Health Service which has been adopted hereby. (Code 1960, As Amend., § 730.010; 80-Or-212, § 1, 9-12-80)

200.20—200.30. Reserved.

ARTICLE II. LICENSES, CERTIFICATES AND PERMITS

200.40. Reserved.

200.50. Distributors' licenses. No person shall sell within the city any pasteurized milk or milk products unless such milk or milk products have been pasteurized in a pasteurization plant for which a certificate of inspection has been secured. No person shall process the same within the city without first having obtained a milk pasteurization license.

(a) Application for a milk distributor's license shall be made to the licensing official. Such application shall be accompanied by the fee or fees herein set forth and established in Appendix J, License Fee Schedule, payable to the city finance officer. The license shall be issued or denied pursuant to section 259.30

(b) When any license is issued for a time less than the full license period, the license fee shall be prorated as provided by law.

(c) The licensing official shall keep a register of each license issued, the number thereof, the name of the person to whom the same is issued, the date when issued, and date of expiration, the amount paid therefor, and such other data as may be required.

(d) At the time of application for a milk distributor's license, in addition to the regular application form required by the licensing official, a form prescribed and furnished by the Minneapolis Health Department shall be filled in by the applicant and shall become a part of the permanent records of the health department. Such form shall be submitted to the licensing official and forwarded directly, upon submission, to the Minneapolis Health Department.

200.60. Reserved.

200.70. Vehicle licenses. (a) No person shall use or operate on any public highway in the city any vehicle used for the delivery of milk, or its products, or groceries and milk, without first having obtained a license in the manner hereinafter provided, except those vehicles exempt under Minnesota Statutes. This shall not be construed to apply to any retail grocery store vehicle delivering milk, its products, or groceries and milk, to city homes or places of business during the ordinary course of the delivery system operated by the grocery store. The application for such license shall be made to the licensing official and shall be accompanied by the fee or fees hereinafter set forth, payable to the city finance officer. The license shall be issued or denied pursuant to section 259.30. Licenses shall be transferable from one (1) approved vehicle to another, owned by the same owner, at any time upon the payment of the requisite transfer fee.

~~(b) No license shall be issued or renewal of an issued license granted unless and until the person applying for such license shall first execute or obtain and file with the licensing official, for each vehicle, a policy or policies in an insurance company authorized to do business in the State of Minnesota, insuring such person, the lessees or licensees of such person, against loss in the sum of at least twenty-five thousand dollars (\$25,000.00) for injury or death of any one (1) person in any one (1) accident, and (subject to said limit for one (1) person) to a limit of not less than fifty thousand dollars (\$50,000.00) for injury or death of two (2) or more persons in any one (1) accident, resulting from the negligent operation, ownership, use or defective condition of any such milk delivery or grocery and milk delivery vehicle. If the licensee operates more than one (1) vehicle he may file one (1) policy of insurance covering all such vehicles, which policy of insurance shall, however, insure or indemnify each vehicle in the amounts hereinabove stated. Every insurance policy or policies insuring milk delivery or grocery and milk delivery vehicles, in addition to the foregoing provisions, shall also contain a provision insuring such person in the sum of at least five thousand dollars (\$5,000.00) against loss or damage to the property of any person or persons in any one (1) accident resulting from the negligent operation, ownership, use or defective condition of any such milk delivery or grocery and milk delivery vehicle.~~

~~(c) Whenever any license is issued for a term less than the full license period, the license fee shall be prorated.~~

~~(d) At the time any vehicle license is issued, the person to whom the license is so issued shall be furnished by the licensing official with one (1) decal for each such vehicle, and such decal shall show thereon a number, the name of the city, and the year when such license expires. The licensee shall at all times display such decal conspicuously on the vehicle as prescribed by the Minneapolis Health Department.~~

~~(e) The licensing official shall keep a register of each license issued by said department, the number thereof, the name of the person to whom the same is issued, the date when issued, the date of the expiration of same, the amount paid therefor, and such other data as may be required.~~

~~(f) For each milk delivery vehicle the annual license fee shall be as established in Appendix J, License Fee Schedule.~~

~~(g) For each grocery and milk delivery vehicle the annual license fees shall be as established in Appendix J, License Fee Schedule.~~


~~(h) Every licensee hereunder, and every person delivering milk or groceries and milk, shall display and keep displayed at all times in a prominent place on each outer side of any vehicle used for such deliveries, the name of the licensee which shall be printed in plain letters not less than four (4) inches in height, and keep such printed name in such condition that it may be at all times readily distinguishable. It shall be unlawful to display any name on the outside of the vehicle except that of the licensee and/or his registered trade name.~~

200.80. When licenses expire. ~~Licenses issued under this chapter shall expire on February first of each year.~~

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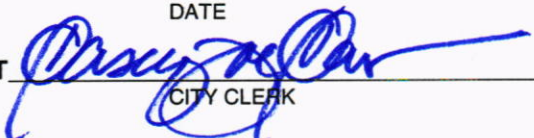
~~200.90—200.120. Reserved.~~

~~200.130—200.170. Reserved.~~


Certified as an official action of the City Council: 

RECORD OF COUNCIL VOTE (X INDICATES VOTE)													
COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Reich	X						Glidden	X					
Gordon	X						Cano	X					
Frey	X						Bender	X					
B Johnson	X						Quincy	X					
Yang	X						A Johnson	X					
Warsame	X						Palmisano	X					
Goodman	X												

ADOPTED JUN 05 2015

ATTEST 
CITY CLERK

☒ APPROVED ☐ NOT APPROVED ☐ VETOED

 JUN 11 2015
MAYOR HODGES DATE